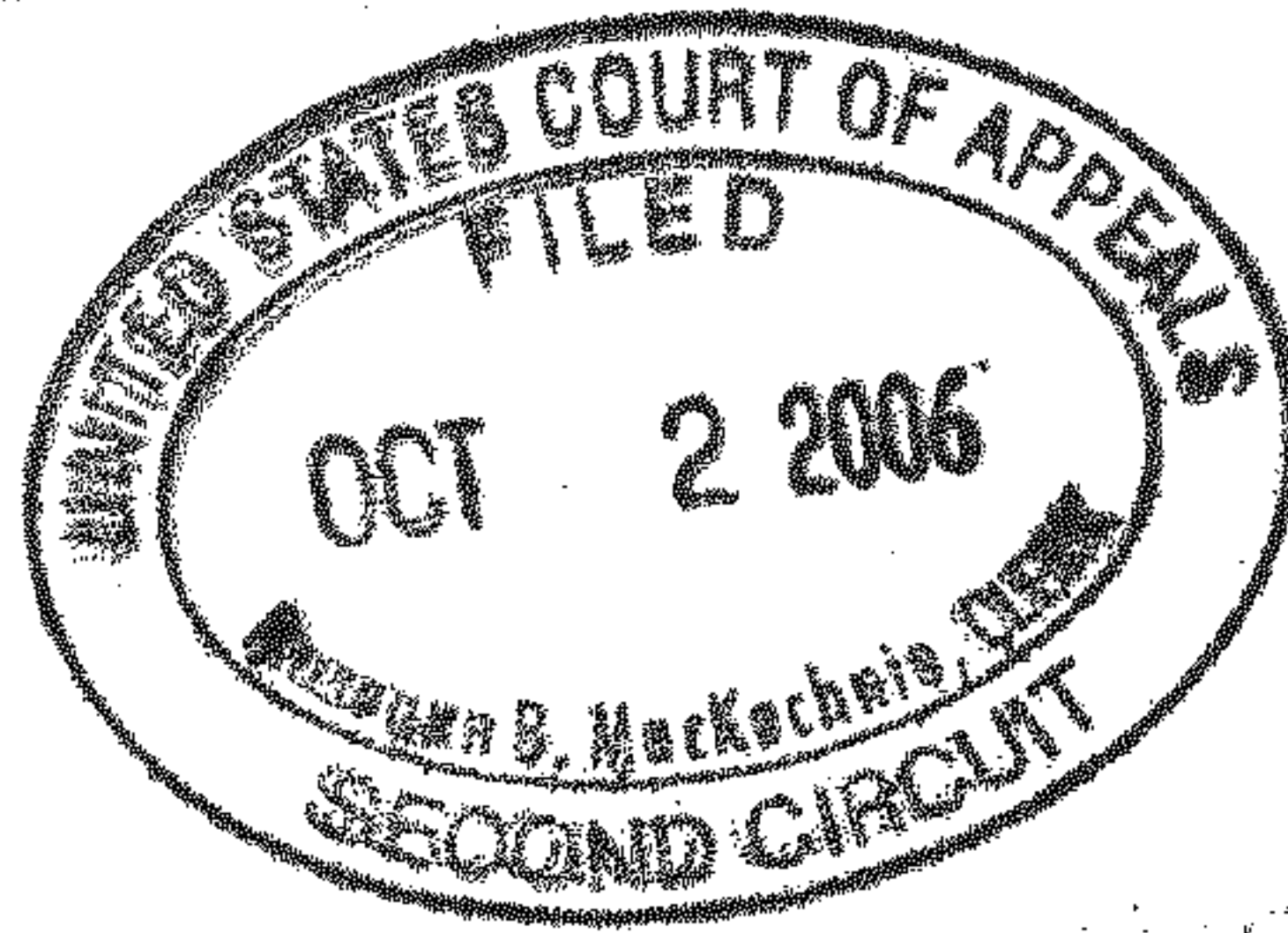


MANDATE

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE
NEW YORK 10007

Roseann B. MacKechnie
CLERK

Date: 10/2/06
Docket Number: 06-3561-pr
Short Title: Felton v. Mazzuca
DC Docket Number: 98-cv-4567
DC: SDNY (NEW YORK CITY)
DC Judge: Honorable Kenneth Karas



At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the second day of October, two thousand six.

Jose Felton,

Petitioner-Appellant,

v.

William Mazzuca,

Respondent-Appellee.

The *Civil Appeals Management Plan* of this court directs that within ten (10) days after filing a Notice of Appeal, the appellant shall, inter alia, either pay the docketing fee or move for leave to proceed in forma pauperis, and that in the event of default of this requirement the Clerk may dismiss the appeal without further notice.

The appellant herein not having so proceeded, upon consideration thereof, it is **ORDERED** that the appeal from the order of March 30, 2006, United States District Court for the Southern District of New York be, and it hereby is **DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed moot.

For the Court,
Roseann B. MacKechnie, Clerk

By: 
Deputy Clerk

A TRUE COPY
ROSEANN B. MacKECHNIE, CLERK



Certified:

OCT 2 2006